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SOWELL GRAY STEPP & LAFFITTE, LLC
ATTORNEYS AND COUNSELORS AT LAW

May 8, 2007

VIA HAND DELIVERY

Charles L.A. Terreni, Chief Clerk & Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

FILED
2007 MAY -9 PM 3:24
S.C. CLERK OF COURT

Re: Acktel Recoveries, LLC, Complainant/Petitioner v. ITC ^ DeltaCom
Communications, Incorporated and BellSouth Telecommunications,
Incorporated, Defendants/Respondents
Docket No. 2007-60-C
Our File No.: 5665/1507


Dear Mr. Terreni:

Please find enclosed for your consideration, the proposed consent Order of Dismissal with Prejudice in the above referenced matter. The proposed Order has been duly executed by Richard L. Whitt on behalf of Acktel Recoveries, LLC, Wendy B. Cartledge on behalf of the Office of Regulatory Staff, Patrick W. Turner on behalf of BellSouth Communications, and me on behalf of ITC^DeltaCom Communications, Inc.

Do not hesitate to contact me if any further information is required. Otherwise, please file the same and return copies thereof to the parties of record.

Robert E. Tyson, Jr.
rtyson@sowell.com
DD 803.231.7838

Sincerely,


Robert E. Tyson, Jr.

1310 Gadsden Street
Post Office Box 11449
Columbia, SC 29211

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RETjr::jlw

Enclosures

cc: Wendy B. Cartledge
Richard L. Whitt
Patrick W. Turner

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA**

DOCKET NO. 2007-60-C - Order No. 2007 - _____

May ____, 2007

IN RE:

Acktel Recoveries, LLC)
)
Complainant/Petitioner)
)
v.)
)
ITC^DeltaCom Communications, Inc.,)
and BellSouth Telecommunications,)
Inc.)
)
Defendants/Respondants)

CONSENT ORDER OF DISMISSAL
WITH PREJUDICE

The parties in this docket, ITC^DeltaCom Communications, Inc., BellSouth Telecommunications, Inc., Acktel Recoveries, and the Office of Regulatory Staff hereby request dismissal of the above-captioned complaint and any amendments thereof, because issues presented in the complaint have been resolved through a negotiated settlement between Acktel Recoveries, LLC and ITC^DeltaCom Communications, Inc., and BellSouth Telecommunications, Inc. and, therefore, the issues are now moot. ORS concurs with and consent to the dismissal.

Now, therefore, base upon the consent of all parties of record as reflected by the signatures of their attorneys set forth below,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the complaint and any amendments thereof in the above-captioned matter are hereby dismissed with prejudice.

AND IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

By:

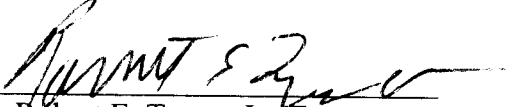
G. O'Neal Hamilton
Chairman

ATTEST:

C. Robert Moseley
Vice Chairman

(SEAL)

WE CONSENT:

By: 
Robert E. Tyson, Jr., Esq.
Sowell Gray Stepp & Laffitte, LLC
1310 Gadsden Street
Post Office Box 11449
Columbia, South Carolina 29211
(803) 929-1400

and

D. Anthony Mastando Jr., Esq.
Vice President Regulatory
DeltaCom, Inc.
7037 Old Madison Pike, Suite 400
Huntsville, Alabama 35806
(256) 382-3856

Attorneys for Defendants ITC^DeltaCom Communications, Inc.

WE CONSENT:

By: Patrick Turner

Patrick W. Turner, Esq.
1600 Williams Street, Suite 5200
Columbia, South Carolina 29201
(803) 401-2900

Attorney for BellSouth Telecommunication, Inc.

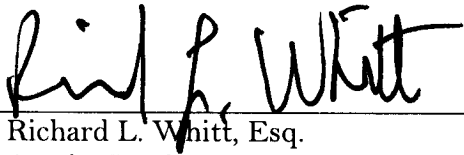
WE CONSENT:

By: Wendy B. Cartledge
Wendy B. Cartledge, Esq.
1411 Main Street, 3rd Floor
Post Office Box 11263
Columbia, South Carolina 29211
(803) 737-0889

Representing the Office of Regulatory Staff

WE CONSENT:

By:

A handwritten signature in black ink, appearing to read "Richard L. Whitt", is written over a horizontal line.

Richard L. Whitt, Esq.
Austin, Lewis & Rogers, P.A.
P.O. Box 11716
Columbia, SC 29201
(803) 256-4000

✓
Attorney for Acktel Recoveries, LLC